

**Applicant: Robert A. Vito**  
**Application No.: 09/808,882**

### IN THE CLAIMS

Please amend claims 1, 3, 4, 9, 13-15, 24, 29, and 32-35, without prejudice or disclaimer, and cancel claim 5, without disclaimer. A list of the claims of this application that are amended by this paper, marked up relative to the claims of U.S. Patent 5,881,587 follows.

Claim 1 (Currently Amended): A device for locking [the] a brake or clutch pedal and a brake or clutch pedal shaft of a vehicle and preventing the theft of said vehicle, said [vehicle] device comprising:

a base member for a placement on [the] a floorboard of the vehicle beneath [a] the brake or clutch pedal and the brake or clutch pedal shaft;

a U-shaped housing extending downward and having a first arm attached to [the] said base and having a second shorter arm defining a gap for [receipt of] receiving the brake or clutch pedal shaft, said [space] gap between [the] said first and second arms defining a slot for receiving the brake or clutch pedal shaft and permitting [its] full extension of the brake or clutch pedal shaft upward through said slot; and

a locking mechanism associated with [the] said first arm for locking [the] an underside of the brake or clutch pedal shaft within [the] said slot such that the brake or clutch pedal shaft cannot be depressed.

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Claim 3 (Currently Amended): The device of claim 1 wherein said brake or clutch pedal is a brake pedal [said locking mechanism is activated by a combination].

Claim 4 (Currently Amended): The device of claim 1 wherein said brake or clutch pedal is a [brake] clutch pedal.

Claim 5 (Cancelled).

Claim 9 (Currently Amended): A device for locking [the] a brake or clutch pedal and a brake or clutch pedal shaft of a vehicle, [and preventing the theft of] said [vehicle] device comprising:

a base member having studs for a placement on [the] a floorboard of the [a] vehicle beneath [a] the brake [pedal] or clutch pedal and brake or clutch pedal shaft;

a [stainless steel] U-shaped housing extending downward and having a first arm attached to [the] said base and having a second shorter arm defining an opening for receiving [of a] the brake or clutch pedal shaft, said [space] opening between [the] said first and second arms defining a slot for receiving the brake or

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clutch pedal shaft and permitting [its] full extension of the [control] brake or clutch pedal shaft both upward and downward through said slot, said first arm having a cylindrical opening extending therethrough [and collinearly with said slot];

a serrated rod extending through said cylindrical opening and being slidable therein [therewith], said rod having a pin at a first end for catching [the] en underside of [said] the brake or clutch pedal shaft within [the] said slot and a handle at a second end for pulling the brake or clutch pedal shaft upward in a decompressed position; and

a locking mechanism adapted to lock [the] said serrated rod and pin [in position] with respect to said housing such that the brake or clutch pedal cannot be depressed.

Claim 13 (Currently Amended): A device for locking [the] a brake or clutch pedal and brake or clutch pedal shaft of a vehicle, [and preventing theft of] said [vehicle] device comprising:

a base member for a placement on [the] a floorboard of [a] the vehicle beneath [a brake pedal] the brake or clutch pedal and the brake or clutch pedal shaft;

a [stainless steel] U-shaped housing extending downward and having a first arm attached to [the] said base and having a second shorter arm defining an opening for receiving [a] the brake or clutch pedal shaft, said [space] opening

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between [the] said first and second arms defining a slot for receiving the brake or clutch pedal shaft and permitting [the] full extension of the brake or clutch pedal shaft both upward and downward through said slot, said first arm having a cylindrical opening extending therethrough [and collinearly with said slot], said base and said second shorter [arms] arm further having matable beveled surfaces to facilitate [the ease of] easier positioning of said brake or clutch pedal in said opening;

a serrated rod extending through said cylindrical opening and being slidable [therewith] therein, said rod having a pin at a first end for catching [the] an underside of said brake or clutch pedal shaft within [the] said slot and a handle at a second end for pulling [said] the brake or clutch pedal shaft upward in a decompressed position; and

a key activated locking mechanism adapted to lock [the] said serrated rod [for] and pin [in position] with respect to said housing such that the [that the] brake or clutch pedal cannot be depressed.

Claim 14 (Currently Amended): A device for locking a brake or clutch pedal of a vehicle, the brake or clutch pedal being supported by a pedal shaft, the device comprising

a base, including a first elongated member and a second elongated member.

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the second elongated member being secured to and extending outwardly from a lateral side of the first elongated member at a predetermined angle, the base being adapted for placement on a floor of the vehicle beneath the brake or clutch pedal and the pedal shaft,

a housing extending from one of the first and second elongated members;

a rod slidably disposed on said housing, said rod having a first end which engages the underside of said brake or clutch pedal shaft and a second end for pulling the rod and the pedal shaft upward in a decompressed position; and

a locking mechanism positioned on the housing which locks the rod with respect to the housing to retain the pedal shaft in the decompressed position such that the pedal cannot be operably depressed.

Claim 15 (Currently Amended): The device as recited in claim 14 wherein the predetermined angle is ninety (90°) degrees.

Claim 24 (Currently Amended): A device for locking a brake or clutch pedal of a vehicle, the brake or clutch pedal being supported by a pedal shaft, the device comprising:

a base for placement on the floor of a vehicle beneath the brake or clutch pedal and the pedal shaft, the base having a lower surface for engaging the vehicle

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floor, the lower surface including at least one outwardly extending member to facilitate retention of the base on the vehicle floor;

a housing extending from the base;

a rod slidably disposed on said housing, said rod having a first end which engages the underside of said brake or clutch pedal shaft and a second end for pulling the rod and the pedal shaft upward in a decompressed position; and

a locking mechanism positioned on the housing which locks the rod with respect to the housing to retain the pedal shaft in the decompressed position such that the pedal cannot be operably depressed.

Claim 29 (Currently Amended): A device for locking a brake or clutch pedal of a vehicle the brake or clutch pedal being, supported by a pedal shaft, the device comprising

a base for placement on a floor of the vehicle beneath the brake or clutch pedal and the pedal shaft;

a housing extending from the base and including a member for enabling a user to press the device toward the vehicle floor to facilitate installation of the device; and

a rod slidably disposed on said housing, said rod having a first end which

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engages the underside of said brake or clutch pedal shaft and a second end for pulling the rod and the pedal shaft upward in a decompressed position, and a locking mechanism positioned on the housing which locks the rod with respect to the housing to retain the pedal shaft in the decompressed position such that the brake or clutch pedal cannot be operably depressed.

Claim 32 (Currently Amended): A device for locking a brake or clutch pedal of a vehicle the brake or clutch pedal being supported by a pedal shaft, the device comprising:

a base for placement on a floor of the vehicle beneath the brake or clutch pedal and the pedal shaft;

a housing extending from the base;

a rod slidably disposed on said housing, said rod having a first end which engages the underside of said ~~control~~ pedal shaft and a second end for pulling the rod and the pedal shaft upward in a decompressed position, and

a locking mechanism positioned on the housing which locks the rod with respect to the housing to retain the pedal shaft in the decompressed position such that the pedal cannot be operably depressed.

Claim 33 (Currently Amended): A device for locking a brake or clutch

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pedal of a vehicle, the pedal being supported by a pedal shaft, the device comprising:

a base for placement on a floor of the vehicle beneath the brake or clutch pedal and the pedal shaft;

a housing extending from the base; and

a locking mechanism comprising a rod having a locking pin on one end, the rod being slidably disposed in an opening in the housing between a first position wherein the brake or clutch pedal may be depressed and a second, locked position wherein the locking pin is in engagement with a lower side of the pedal shaft for locking the pedal shaft with respect to the housing such that the brake or clutch pedal cannot be operably depressed, the rod having a handle on the other end, the handle having a dimension which is greater than a dimension of the opening in the housing to limit movement of the rod with respect to the housing when the rod is moved to the first position.

Claim 34 (Currently Amended): A device for locking a brake or clutch pedal of a vehicle, the brake or clutch pedal being supported by a pedal shaft, the device comprising

a base for placement on a floor of the vehicle beneath the brake or clutch pedal and the pedal shaft;



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a housing extending from the base;

a rod slidably disposed on said housing and including a serrated portion, said rod having a first end which engages the underside of said control pedal shaft and a second end for pulling the rod and the pedal shaft upward in a decompressed position; and

a locking mechanism positioned on the housing which locks the rod with respect to the housing to retain the pedal shaft in the decompressed position such that the pedal cannot be operably depressed, the locking mechanism including a lock located on the housing and being in engagement with the serrated portion of the rod for locking the rod in at least the second position.

Claim 35 (Currently Amended): A device for locking a brake or clutch pedal of a vehicle, the brake or clutch pedal being supported by a pedal shaft, the device comprising:

a base for placement on a floor of the vehicle beneath the brake or clutch pedal and the pedal shaft;

a housing extending from the base; and

a rod slidably disposed on said housing, said rod having a first end which engages the underside of said control pedal shaft and a second end for pulling the rod and the pedal shaft upward in a decompressed position; and

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a locking mechanism positioned on the housing which locks the rod with respect to the housing to retain the pedal shaft in the decompressed position such that the brake or clutch pedal cannot be operably depressed, one of said housing and rod defining two generally parallel members positioned on opposite sides of the pedal shaft when the first end of the rod engages the underside of the pedal shaft.